

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION**

JEANNE VOLTZ-LOOMIS; GARY ZACHARIAH THOMAS; DENISE EDGAR; BRANDON MOORE; ALLEN SLAUGHTER; GAY OPEL STANLEY; BRISON AKEEM ALLISON; PROTECTION & ADVOCACY FOR PEOPLE WITH DISABILITIES, INC.; JOHN DOES 1 through 10; JANE ROES 1 through 10; on their own and on behalf of a class of similarly situated persons,

Petitioners,

v.

HENRY McMASTER, in his official capacity as Governor of the State of South Carolina; BRYAN STIRLING, in his official capacity as Director of the South Carolina Department of Corrections; the SOUTH CAROLINA BOARD OF PARDONS AND PAROLES; and CHRISTOPHER F. GIBBS, MOLLIE DUPRIEST TAYLOR, DAN BATSON, HENRY S. ELDRIDGE, LONNIE RANDOLPH, and KIM FREDERICK, in their official capacities as members of the South Carolina Board of Pardons and Paroles,

Respondents.

Civil Action No.: 5:20-cv-1533-DCC-KDW

**RESPONDENTS' JOINT MOTION FOR
AN EXTENSION OF THE DEADLINE TO
FILE RESPONSIVE PLEADINGS**

Pursuant to Local Civil Rule 6.01, DSC, Respondents, by and through the undersigned attorneys, respectfully submit this joint motion for a two-day extension to file a response to Petitioners' emergency petition for writs of habeas corpus and complaint. The undersigned counsel consulted with opposing counsel, see Local Civil Rule 7.02, DSC, and Petitioners do not oppose this request. For the reasons that follow, the Court should grant the requested extension for good cause shown.

At the outset, Respondents are cognizant and respectful of the deadlines set by the Court in recognition of the importance of the allegations raised in the petition. Likewise, Respondents do not take these charges lightly. Respondents are keenly aware of the challenges posed by COVID-19, and they have been working around the clock to ensure the health and safety of the people of the State of South Carolina—whether free or incarcerated. Petitioners, however, had months to prepare the lawsuit they filed in this Court on April 21, 2020. Indeed, the declaration Petitioners attached as Exhibit 1 to the petition was signed over a month ago.

On April 24, 2020, prior to serving the petition on any Respondent or any Respondent agreeing to accept service of the same, Petitioners filed a Motion to Expedite, which the Court granted on April 28, 2020. In doing so, the Court instructed Respondents to answer certain interrogatories. Because Respondents remain busy responding to the ongoing State of Emergency, they had to engage outside counsel to assist in responding to this lawsuit. After appearing through counsel in the matter, Respondents have been working diligently to meet the Court’s responsive pleading deadline and to provide answers to the Court’s important interrogatories. Respectfully, given the complexity of the issues, Respondents need a brief two-day extension to adequately research and prepare an appropriate response to aid the Court in deciding this case. After all, Petitioners are asking this Court to release inmates who stand duly convicted of violating the laws of this State and were committed to the custody of the South Carolina Department of Corrections based upon a judge’s sentence. They are also attacking the measures implemented by Respondents to combat COVID-19. This is no small matter.

Thus, Respondents respectfully request that the Court grant this motion for a modest two-day extension for good cause shown. With the extension, all Respondents’ responsive pleadings and answers to the Court’s interrogatories would be due by 5:00 P.M. on Friday, May 8, 2020.

Respectfully submitted,

/s/ Janet Brooks Holmes

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/s/Vordman Carlisle Traywick, III

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May 5, 2020
Columbia, South Carolina